

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALEXANDRIA NICHOLAS, individually
and on behalf of all others similarly situated,

Plaintiff,

v.

AMAZON.COM, INC., a Delaware
corporation,

Defendant.

Case No.: 2:22-cv-01616-RSM

**STIPULATION REGARDING
CONSOLIDATION MOTION**

NOTE ON MOTION CALENDAR:
December 29, 2022

On December 13, 2022, Judge Tana Lin entered an order granting the parties' Stipulated Motion on Dispositive Briefing Schedule, making Amazon's motion to dismiss Plaintiff's First Amended Complaint due on January 6, 2023. Dkt. No. 37. On December 15, 2022, Amazon filed a notice of related cases in this and two other actions now pending before this Court: *Daly v. Amazon.com, Inc.*, No. 2:22-cv-00910-RSM, and *Dorobiala v. Amazon.com, Inc.*, No. 2:22-cv-01600-RSM (the "Related Actions"). Dkt. No. 38. On December 20, 2022, this case was reassigned to this Court.

On December 28, 2022, Amazon filed a motion to consolidate this action with the Related Actions (the "Consolidation Motion"). The Consolidation Motion is pending in the *Daly* action, as the first-filed action. *See* Daly Dkt. No. 25. Plaintiff intends to oppose consolidation. Amazon and Plaintiff have agreed that Plaintiff may have until Friday, January 20, 2023 to file an opposition to the Consolidation Motion and Amazon may have until Wednesday, February 8, 2023 to file a reply in support of the Consolidation Motion.

In light of the Consolidation Motion, the parties stipulate and agree to suspend the deadline for Amazon to answer or otherwise respond to the complaint in this action to the date that is thirty (30) days after the Court denies Amazon's Consolidation Motion (if that occurs). If the Court grants Amazon's Consolidation Motion, and does not issue a new case schedule, the parties agree to meet and confer on a schedule for Amazon to answer or otherwise respond to any amended consolidated complaint filed in the consolidated action.

Dated: December 29, 2022

Respectfully submitted,

FENWICK & WEST LLP

By: /s/ Brian D. Buckley

Brian D. Buckley, WSBA No. 26423

1191 Second Avenue, 10th Floor
Seattle, WA 98101

Telephone: 206.389.4510

Facsimile: 206.389.4511

Email: bbuckley@fenwick.com

Counsel for Defendant

AMAZON.COM, INC.

BORDE LAW PLLC

By: /s/ Manish Borde

Manish Borde, WSBA No. 39503

600 Stewart St., 400

Seattle, WA 98101

Tel.: 206.531.2722

Email: mborde@bordelaw.com

MCGUIRE LAW, P.C.

David L. Gerbie

Myles McGuire

Joseph Dunklin

55 W. Wacker Drive, 9th Floor

Chicago, IL 60601

Telephone: 312.893.7002

Email: mmcguire@mcgpc.com

dgerbie@mcgpc.com

jdunklin@mcgpc.com

LOCKRIDGE GRUNDAL NAUEN &
HOLSTEIN PLLP
Robert K. Shelquist (*pro hac vice* forthcoming)
Rebecca A. Peterson (*pro hac vice* forthcoming)

100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401
Telephone: 612.339.6900
Email: rkshelquist@locklaw.com
rapeterson@locklaw.com

Attorneys for Plaintiff

SO ORDERED.

DATED this 4th day of January, 2023.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented by:

FENWICK & WEST LLP

By: /s/ Brian D. Buckley

Brian D. Buckley, WSBA No. 26423

1191 Second Avenue, 10th Floor
Seattle, WA 98101

Telephone: 206.389.4510

Facsimile: 206.389.4511

Email: bbuckley@fenwick.com

Attorneys for Defendant
AMAZON.COM, INC.